

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/716,163 Confirmation No. 3896
Applicants: Ricardo Mayo-Alvarez et al.
Filed: November 17, 2003
TC/A.U.: 1655
Examiner Michelle Flood
Docket No.: 5009-1
Customer No.: 22442
For: "Pharmaceutical Composition"

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir,

This Response is filed in reply to the Office Action having a mailing date of June 2, 2006. This response is filed within the one month shortened statutory period. Applicants therefore believe this response is timely filed and no fees are due. In the event any fees are due, please debit Deposit Account No. 19-1970.

The Examiner has imposed a species election under 35 U.S.C. § 121 between a pharmaceutical composition containing docusate and a pharmaceutical composition containing poloxamer 188. Applicants hereby elect a pharmaceutical composition containing docusate for prosecution on the merits without traverse. Currently, pending Claims 41-45 read on this species.

Based upon the foregoing, Applicants believe that all pending claims (i.e., Claims 41-48) are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

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